

Planning Committee

**Minutes of the meeting held on 21 June 2017 at 7.00 pm in Council Chamber,  
Council Offices, Cecil Street, Margate, Kent.**

**Present:** Councillor Bob Grove (Chairman); Councillors Jaye-Jones, Bambridge, Buckley, K Coleman-Cooke, Connor, Edwards, J Fairbrass, Fenner, Partington, L Piper, R Potts, D Saunders, Taylor and Tomlinson

**In Attendance:** Johnston, Matterface and Wells

**192. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**193. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**194. MINUTES OF PREVIOUS MEETING**

It was proposed by the Vice Chairman, seconded by Councillor Saunders and agreed that the minutes of the Planning Committee held on 17 May 2017 be approved and signed by the Chairman.

**195. APPEALS UPDATE**

Members noted the report.

**196. SCHEDULE OF PLANNING APPLICATIONS**

**197. A01 - FH/TH/17/0363 - 36 CORONATION CLOSE, BROADSTAIRS**

PROPOSAL: Erection of two storey rear extension together with porch to front elevation

Speaking as ward councillor was Councillor Matterface.

It was proposed by the Chairman and seconded by the Vice-Chairman:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered:

16/208/03 Revision B received 16/05/17

16/208/04 Revision B received 16/05/17

16/208/SP/LP Revision A received 16/05/17

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the extension hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.”

Further to debate, the motion was put to the vote and declared LOST.

Then, it was proposed by Councillor Partington and seconded by Councillor Tomlinson:

“THAT Members conduct a SITE VISIT in order to assess the situation.”

Upon the motion being put to the vote, it was declared CARRIED.

**198. A02 - FH/TH/17/0301 - 61 CLARENCE AVENUE, MARGATE**

PROPOSAL: Erection of a part two storey, part single storey rear extension, with 8No. rooflights, and 4No rooflights to front elevation.

Speaking in favour of the application was Mrs Norwood.

Speaking as ward councillor was Councillor Wells.

It was proposed by the Chairman and seconded by Councillor J Fairbrass:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered DSN/2A received 15 May 2017 and DSN/3C received 16 May and dated 2017

GROUND:

To secure the proper development of the area.

3 The external materials and external finishes to be used in the erection of the extensions hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

4 The first floor window in the North and South elevation of the extensions hereby approved shall be provided and maintained with obscure glass.

GROUND:

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with policy D1 of the Thanet Local Plan.”

Following debate, the motion was put to the vote and declared CARRIED.

**199. A03 - FH/TH/17/0325 - 17 LERRYNGARDENS, BROADSTAIRS**

PROPOSAL: Erection of a two storey side and rear extension and a single storey side extension incorporating garage; alterations to existing boundary wall and creation of new access/driveway onto Lerryn Gardens following demolition of existing garage

Speaking raising points of concern was Mr Buffrey.

Speaking as ward councillor was Councillor Matterface.

It was proposed by the Chairman and seconded by Councillor Partington:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered:  
16/1780/PL05 Revision E received 08/05/17  
16/1780/PL/06 Revision E received 08/05/17

16/1780/PL/07 Revision E received 08/05/17  
16/1780/PL/08 Revision E received 08/05/17  
16/1780/PL/09 Revision E received 08/05/17  
16/1780/PL/10 Revision E received 08/05/17  
16/1780/PL/11 Revision E received 17/05/17

GROUND:

To secure the proper development of the area

3 The external materials and external finishes to be used in the extension hereby approved shall be of the same colour, finish and texture as those on the existing property.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

4 Vehicular access to and egress from the adjoining highway shall be limited to the access shown on drawing No 16/1780/PL/11 Revision E only. Any other access or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.

GROUND:

In the interests of highway safety.”

Following debate, the motion was put to the vote and declared CARRIED.

200. **A04 - OL/TH/17/0305 - LAND REAR OF ASHBRE MANOR ROAD, ST NICHOLAS AT WADE**

PROPOSAL: Outline application for the erection of 2No. semi-detached two storey dwellings, with alteration to existing access, including layout and access

Speaking in favour of the application was Mrs Scott.

It was proposed by the Chairman and seconded by Councillor J Fairbrass:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 Approval of the details of the scale and appearance of any buildings to be erected, and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5 Prior to the first use of the development hereby permitted, the means of access as shown on drawings numbered 2757-SK01E and 706/201, shall be provided and thereafter maintained.

GROUND:

In the interests of Highway Safety.

6 Details to be submitted pursuant of Condition 1 above shall include a bound surface material for the first 5m of the access from the edge of the highway.

GROUND:

In the interests of highway safety.

7 Prior to the first occupation of the development hereby permitted, the approved visibility splays as shown on plans numbered 706/202 and 706/201, received 01 March 2017, shall be provided with no obstructions over 1m above carriageway level. The approved splays shall thereafter be implemented in full and maintained.

GROUND:

In the interests of highway safety.

8 Prior to the first occupation of the development hereby permitted, the refuse storage facilities and refuse storage collection point, as shown on the approved plan numbered 2757-SK01E, shall be provided and thereafter maintained.

GROUND:

To secure a satisfactory standard of development and in the interests of the amenities of the area, in accordance with Policy D1 of the Thanet Local Plan.

9 Prior to the first occupation of the development, the area shown on plan numbered 2757-SK01E for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area approved shall thereafter be maintained for that purpose.

GROUND:

Development without adequate provision for the parking or turning of cars is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of policy D1 of the Thanet Local Plan.

10 The development hereby approved shall be carried out in accordance with the submitted plans numbered 2757-SK01E, 706/201, and 706/202, received 01 March 2017.

GROUND:

To secure the proper development of the area.”

The motion was put to the vote and declared CARRIED.

**201. A05 - F/TH/17/0450 - CAR PARK, DALBY SQUARE, MARGATE**

PROPOSAL: Change of use from car park to communal garden use.

It was proposed by the Vice Chairman, seconded by Councillor Tomlinson and RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered PGA\_001 Rev A, PGA\_002 Rev A, PGA\_003 Rev A and PGA\_004 Rev A received 11 May 2017

GROUND:

To secure the proper development of the area.

3 The proposed development shall be carried out in accordance with the approved planting plan numbered PGA\_004 Rev A received 11 May 2017 and the approved planting schedule entitled 'Planting for Dalby Square North Car Park' received 29 March 2017.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

4 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of the site as communal gardens, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in

the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

5 Prior to the commencement of development hereby permitted, a detailed construction management plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall include the following information:

- Provision of construction vehicle loading/unloading and turning facilities on site for the duration of construction.
- Provision of parking facilities for site personnel and visitors for the duration of construction.
- Provision of measures to prevent the discharge of surface water onto the highway.
- Provision of wheel washing facilities for the duration of construction.

Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of highway safety.”

**202. A06 - FH/TH/17/0501 - WHITE WALLS, HOLLAND CLOSE, BROADSTAIRS**

PROPOSAL: Erection of a first floor side extension with balcony to rear, single storey rear extension with terrace over and balustrade fencing, erection of single storey front garage extension with pitched roof, alterations to fenestration together with the removal of front veranda

It was proposed by the Vice Chairman, seconded by Councillor Tomlinson and RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 07 A, 08 A, 09 A, 10 A, 11 A, 12 A received 25 May 2017.

GROUND:

To secure the proper development of the area.

3 The development hereby approved will be finished in white render, grey render and split face slate cladding as annotated on the approved plans numbered 11 A and 12 A received 25 May 2017.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

4 The colour and finish of the tiles to the development hereby approved, shall be of the same colour, finish and texture as those on the existing property.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.”

**203. R07 - F/TH/17/0286 - 49 - 50 HAWLEY SQUARE, MARGATE**

PROPOSAL: Erection of a four storey building containing 9no. self-contained flats, 2no. 1-bed flats, 6no. 2-beds flats and 1no. 3-bed flat

Speaking as ward councillor was Councillor Johnston.

It was proposed by the Chairman and seconded by Councillor Taylor:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be REFUSED for the following reason:

1 The rear façade of the proposed development would, by virtue of the introduction of balconies and the inappropriate size and placement of fenestration, be out of character with other rear elevations of properties in the surrounding area which are traditional in design and subservient to their principle front elevations. The proposed development therefore fails to preserve or enhance the character and appearance of the conservation area resulting in significant harm to the designated heritage asset not outweighed by public benefits contrary to paragraphs 26, 63, 64 and 131, 132 and 134 of the NPPF.’”

Following debate, the motion was put to the vote and declared LOST.

Then it was proposed by Councillor Partington and seconded by Councillor Tomlinson:

“That the application be APPROVED for the following reasons:

‘There would be no substantial harm to character and appearance of the conservation area.’”

Upon being put to the vote, the motion was declared CARRIED.

**204. R08 - F/TH/17/0014 - THE BARN, ST MARGARETS ROAD, BIRCHINGTON**

PROPOSAL: Retrospective application for the change of use from former stables/barn to a single dwelling



Speaking in favour of the application was Mr Elvidge.

It was proposed by the Chairman and seconded by the Vice Chairman:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be REFUSED for the following reason:

1 The site is outside the built up area boundary of any settlement and, as such, represents an unsustainable and isolated form of development within the countryside contrary to saved policies H1 and CC1 of the Thanet Local Plan and paragraphs 14 and 55 of the National Planning Policy Framework.

Upon being put to the vote, the motion was declared CARRIED.

**205. D09 - F/TH/16/1160 - DISUSED RAILWAY LINE, COLLEGE ROAD, MARGATE**

PROPOSAL: Erection of 10no. dwellings together with formation of vehicular access to Tivoli Road

Speaking raising points of concern was Mr Poynter.

Also speaking raising points of concern was Mr Jackson.

It was proposed by the Chairman and seconded by Councillor L Piper:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be DEFERRED AND DELEGATED to the Director of Community Services to approve subject to receipt of a legal agreement securing the agreed planning obligations and the following safeguarding conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 16.986.MB.PL02 Rev B, 16.986.MB.PL03 Rev A, 16.986.MB.PL05 Rev A, 16.986.MB.PL06 Rev A, and 16.986.MB.PL07 Rev G, received 06 June 2017; revised drawings numbered 16.986.MB.PL16 Rev A and 16.986.MB.PL17 received 24 May 2017; revised drawing numbered 16.986.MB.PL15, received 18 May 2017; revised drawing numbered 16.986.MB.PL01 Rev A, received 23 February 2017; and drawing numbered 16.986.MB.PL04 Rev A, received 22 August 2016.

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of development hereby permitted, a detailed sustainable surface water drainage scheme for the site shall be submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of within the site boundary via infiltration without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions, in accordance with the NPPF.

4 Prior to the first occupation of any part of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

GROUND:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions, in accordance with the NPPF.

5 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

GROUND:

To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

6 No development shall take place until details of the means of foul drainage have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

To prevent pollution in accordance with the NPPF.

7 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation

strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

GROUND:

To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

8 The developer must ensure a watching brief is carried out by a suitable consultant during demolition and foundation works. Any measures to control any contamination identified during these activities shall be agreed with the Local Planning Authority prior to the construction of development hereby permitted.

GROUND:

To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

9 No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

GROUND:

To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework, as the site lies on a principal aquifer and in Source Protection Zones 1 and 2.

10 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded.

11 Prior to the commencement of development hereby permitted, a detailed construction management plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall include the following information:

- Timing of HGV movements (HGV movements to and from the site will not be allowed during school drop-off and pick-up times),
- Methodology for the provision of a construction access to the site, and associated traffic management (it appears that temporary traffic management will be required and this should be agreed with the Street Works Team at KCC),
- Provision of construction vehicle loading/unloading and turning facilities on site for the duration of excavation and construction works,
- Provision of parking facilities for site personnel and visitors for the duration of construction.
- Provision of measures to prevent the discharge of surface water onto the highway.
- Provision of wheel washing facilities for the duration of construction.

Development shall be carried out in accordance with the approved details.

**GROUND:**

In the interests of highway safety, and considering the restricted nature of the site, its proximity to Salmestone Primary School, the one-way system and the existing levels of on-street parking in the immediate vicinity.

12 Prior to the first occupation of any part of the development hereby approved, the provision of the vehicular access road through the site (including the speed restraint measures), the road widening, improvements to the pedestrian public right of way to the northern boundary of the site (to include its widening and resurfacing), and the provision of the pedestrian footpath to the western boundary of the site, as shown on plan numbered 16.986.MB.PL07 Rev G, shall be completed and made operational for use.

**GROUND:**

In the interests of highway safety and pedestrian movement.

13 Prior to the construction of the vehicular access road hereby approved, a plan showing the gradient of the access road, which shall not exceed a gradient of 5% for a distance of at least 6m, or 7% thereafter (in accordance with Kent Design standards for a minor access road), and shall have a cross-sectional gradient of no more than 2.5%, shall be submitted to and approved in writing by the Local Planning Authority.

**GROUND:**

In the interests of highway safety.

14 Prior to the first occupation of any part of the development hereby permitted, 2.4m x 48m visibility splays as shown on the approved plan numbered 16.986.MB.PL07 Rev G, shall be provided and thereafter maintained, with no obstructions over 1.05 metres above carriageway level within the splays.

**GROUND:**

In the interests of highway safety.

15 The area shown on the plan numbered 16.986.MB.PL07 Rev G, as vehicle parking spaces and turning areas, shall be kept available for such use at all times and such land and access thereto shall be provided in relation to each dwelling as shown prior to the first occupation of each respective dwelling hereby approved.

**GROUND:**

Development without adequate provision for the parking or turning of cars is likely to lead to parking inconvenient to other road users and detrimental to amenity and in pursuance of policy D1 of the Thanet Local Plan.

16 Prior to the installation of any lighting on the access road or within the parking areas, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall:

a) Identify those areas/features on site that are particularly sensitive nocturnal species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;

b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

GROUND:

In the interests of nature conservation in accordance with the NPPF.

17 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include:

- species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- the treatment proposed for all hard surfaced areas beyond the limits of the highway
- walls, fences, other means of enclosure proposed
- a mixed native species hedgerow along the southern boundary of the site
- bat and bird boxes to be provided within the site

shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan.

18 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

19 A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its approved use. The landscape management plan shall be carried out as approved.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

20 Prior to the commencement of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved samples.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan

21 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

22 No further alterations to any of the buildings, or the erection of garden buildings, or erection of boundary or internal fences or means of enclosure, whether approved by Classes A, B, C, D, or E of Part One or Class A of Part Two of Schedule 2 to the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

To ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy D1 of the Thanet Local Plan.

23 The first floor bathroom window in the eastern front elevation of unit 7 hereby permitted shall be provided and maintained with obscure glass, and be non-opening below a level of 1.7m from internal floor level.

GROUND:

To safeguard the privacy and amenities currently enjoyed by the occupiers of adjoining residential properties in accordance with Policy D1 of the Thanet Local Plan.”

Following debate, the motion was put to the vote and declared CARRIED.

206. **D10 - OL/TH/16/0417 - LAND BETWEEN MANSTON ROAD AND PRESTON ROAD, ADJOINING MANSTON GREEN INDUSTRIES MANSTON**

PROPOSAL: Outline application for mixed use residential and business development comprising 19 dwellings, 4 live-work units, and a detached building incorporating a shop and cafe, together with associated access roads, paths and vehicle parking, including access and layout

It was proposed by the Vice Chairman, seconded by Councillor Tomlinson and RESOLVED:

“THAT the officer’s recommendation be adopted, namely:

‘That the application be DEFERRED AND DELEGATED to the Director of Community Services to approve subject to receipt of a legal agreement securing the agreed planning obligations and the following safeguarding conditions:

1 Approval of the details of the layout, scale and appearance of any buildings to be erected and the landscaping of the site, (hereinafter called ‘the reserved matters’) shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

2 Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5 No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- (a) Provision for construction vehicle loading/unloading and turning facilities for the duration of the construction period;
- (b) the location of any temporary buildings and compound areas;
- (c) the location of parking areas for construction and other vehicles;
- (d) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway; and,

The development shall be carried out in accordance with the approved construction management statement.

GROUND:

In order that the Local Planning Authority may retain control over the construction activities in the interests of the amenities of the locality in accordance with the NPPF.

6 Prior to the first use of any of the development hereby permitted, a scheme detailing measures to prevent the discharge of surface water onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as agreed.

GROUND:

To ensure satisfactory development of the site.

7 The development hereby approved shall incorporate a bound surface materials for the first 5 metres of the access from the edge of the highway.

GROUND:

In the interests of highway safety.

8 Details pursuant to condition 1 shall include full details (in the form of scaled plans and / or written specifications) to illustrate the following: -

- i) Parking provision in accordance with adopted standard.
- ii) Turning areas
- iii) secure, covered cycle parking facilities

The scheme shall be implemented as approved prior to the first occupation of the units hereby approved.

GROUND:

In the interests of highway safety

9 Prior to the use of the site commencing the accesses and associated alterations in Manston Road and Preston Road shown on the submitted plans or as amended by details to be submitted to and approved by the Local Planning Authority shall be completed.



GROUND:

In the interests of highway safety

10 Details pursuant to condition 1 (in the form of scaled plans and / or written specifications) shall include, but not necessarily be limited to, the following; proposed roads, footways, footpaths, verges, junctions, sewers, retaining walls, service routes, vehicle overhang margins, embankments, accesses, carriageway gradients, driveway gradients and street furniture.

The development shall be laid out and constructed in accordance with the approved details prior to the first occupation of the dwellings hereby permitted.

GROUND:

In the interests of highway safety

11 Prior to the first use of any of the units hereby approved the following works between a dwelling or the shop/café and the adopted highway shall be completed:

- a) Footways and/or footpath, with the exception of the wearing course;
- b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

GROUND:

In the interests of highway safety

12 Prior to the first use the existing access to and egress from the site shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority concurrently with the bringing into use of the new access.

GROUND:

In the interests of highway safety

13 Prior to the first use of any development served by the new accesses onto Manston Road or Preston Road hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan for that access. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1 metre above the level of the adjacent highway carriageway.

GROUND:

In the interests of highway safety.

14 Details pursuant to condition 1 shall include full details (in the form of scaled plans and / or written specifications) to illustrate the provision of an internal pedestrian link between the Manston Road and Preston Road accesses.

GROUND:

In the interests of highway safety

15 Prior to the first use of the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.

GROUND

In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF and saved policy D1 of the Local Plan.

16 No dwellings hereby permitted shall exceed 2 storeys in height.

GROUND:

In the interests of the amenities of the locality in accordance with the NPPF and to define the terms of the permission.

17 No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND:

To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

18 No development or other operations shall commence on site until the existing trees and/or hedgerows along the site boundaries to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

GROUND:

To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF and saved policy D2 of the Local Plan.

19 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of

- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND:

To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record in accordance with Saved policies HE11 and HE12 of the Local Plan.”

Meeting concluded : 8.50pm